

New Applications for the Utah State Court Roster of ADR Providers:

Download and complete the Application.

Download and complete the Ethical Statement.

Download and complete the Experience Log.

Download and complete the Areas of Expertise.

Download and complete the Personal Bio sheet.

Send the above documents and copies of all training certificates, basic and domestic (if applying for the domestic roster) to:

Kathy Elton, ADR Director
Administrative Office of the Courts
P.O. Box 140241
Salt Lake City, Utah 84114-0241

After we receive your paperwork and it is approved, the ADR Office will send you the information needed to complete the Ethical Exam on-line. You will not be added to the Roster until you have successfully completed the Ethical Exam.

UTAH STATE COURT ROSTER

MEDIATOR AND ARBITRATOR QUALIFICATIONS

To be eligible to be on the Court Roster, an applicant must submit a written application to the Program Director which includes:

- ◆ A description of how the applicant meets the requirements for the specific program;
- ◆ The applicant's areas of specialization and experience;
- ◆ The maximum fees the applicant will charge for service as an ADR provider;
- ◆ A list of the judicial districts where the applicant will provide services and the location of the facilities in which the services will be provided.



All new applicants to the Basic Court Roster must:

- ◆ Have successfully completed at least 40 hours of Court approved basic formal mediation training in the last three years. This training shall be under a single training course from a single, court-approved training provider;
- ◆ The new applicant must also complete 10 hours of experience in observing a court qualified mediator conduct mediation, and 10 hours in either conducting mediations singly or co-mediating with a court qualified mediator;
- ◆ Successfully pass an examination on the Code of Ethics for ADR providers;
- ◆ Agree to conduct at least three pro bono mediations each year, at least one of these will be assigned by the Director.
- ◆ Be of good moral character in that the provider has not been convicted of a felony, a misdemeanor involving moral turpitude, or any other serious crime, and has not received professional sanctions that, when considered in light of the duties and responsibilities of an ADR provider, are determined by the Director to indicate that the best interests of the public are not served by including the provider on the roster.

To be included on the Court Roster for Qualified Divorce Mediators all new applicants must:

- ◆ Have successfully completed an additional 32 hours of court-approved training specific to the skills, Utah laws, and information needed to conduct divorce mediation in the last three years. This training shall be under a single training course from a single, court-approved provider;
- ◆ All applicants must have a minimum of 6 hours of training specific to domestic violence and screening for domestic violence which may be included in the court approved 32 hour training referred to above;
- ◆ New applicants to the court roster of divorce mediators are required to have acquired experience specific to divorce mediation. This is in addition to the 20 hours of experience required for the court roster of basic mediators. The additional experience

includes having observed a minimum of two divorce mediations, co-mediating two divorce mediations and having been observed conducting two divorce mediations. Each of these includes debriefing and analysis afterward with a mediator who has Domestic Mentor status. The Domestic Mentor may charge a fee for this service.

- ◆ The Director will maintain and make available a list of those mediators who have Domestic Mentor status.

Once on the Roster, the mediation provider must be re-qualified annually. In order to be re-qualified the applicant must:

- ◆ Complete and report six hours of dispute resolution related training each year;
- ◆ Submit an annual report to the Director indicating the number and type of mediation sessions completed, including the settlement status, the provider conducted that year;
- ◆ Complete a minimum of three pro bono mediation sessions each year, at least one of these will be assigned by the Director.

To be included on the roster as an arbitrator, the provider must:

- ◆ Have been a member in good standing of the Utah State Bar for at least ten years;
- ◆ Agree to conduct at least one pro bono arbitration annually;
- ◆ Be of good moral character in that the provider has not been convicted of a felony, a misdemeanor involving moral turpitude, or any other serious crime, and has not received professional sanctions that, when considered in light of the duties and responsibilities of an ADR provider, are determined by the Director to indicate that the best interests of the public are not served by including the provider on the roster.

In order to be re-qualified as an arbitrator each year:

- ◆ The provider must demonstrate that the provider has conducted at least three arbitrations (or 12 hours of arbitration) during the previous year;
- ◆ Conduct at least one pro bono arbitration;
- ◆ Submit an annual report to the Director indicating the number and type of arbitrations, including the settlement status, the provider conducted that year.

A provider may be subject to removal from the roster for failure to comply with the code of ethics for ADR providers or for failure to meet these requirements.

Application for ADR Court-Annexed Mediator Roster

Name _____

Address _____

Office Phone Number _____ Personal Phone Number _____

Email Address _____

Describe how you have completed 40 hours of formal mediation training, **and include certificate of training**. (If you will be offering divorce mediation services, please **include certificate for divorce mediation** training as well).

Describe how you have completed 20 hours of mediation experience with a court-qualified mediator (**attach verification sheet**).

What is the maximum hourly rate you will charge for mediation services?

What is your educational background?

What is your current profession and place of employment?

Please include the address and a description of the facility at which you will be conducting mediations.

List the judicial districts are you willing to provide services in (see enclosed map):

Provide a one paragraph, typed professional biography on a plain white sheet of paper. Include your mediation training, experience, and areas of expertise. This will be the biographical sketch included on the ADR Court-Annexed roster so please limit it to no more than 100 words, excluding your name and address.

COURT ANNEXED ADR PROGRAM

Pursuant to Rule 4-510 (Rules of Judicial Administration) "To be recertified for the court roster an ADR Provider must:

"be of good moral character in that the provider has not been convicted of a felony, a misdemeanor involving moral turpitude, or any other serious crime, and has not received professional sanctions that, when considered in light of the duties and responsibilities of an ADR provider, is determined by the Director to indicate that the best interests of the public are not served by including the provider on the roster;"

1. ☐ **I have**
 ☐ **I have not**
 been convicted of a felony.

Comments: _____
_____(over)

2. ☐ **I have**
 ☐ **I have not**
 been convicted of a misdemeanor involving moral turpitude, or
 any other serious crime.

Comments: _____
_____(over)

3. ☐ **I have**
 ☐ **I have not**
 received professional sanctions.

Comments: _____
_____(over)

I certify under penalty of perjury that this is a correct reporting of my legal and professional records.

Signature

Date

Print Name

Return to: **Kathy Elton, ADR Director**
 Administrative Office of the Courts
 P.O. Box 140241
 Salt Lake City, Utah 84114-0241

Mediator Experience Log

To be included you must complete 10 hours observing a court-qualified mediator and an additional 10 hours either conducting mediation sessions singly or with a court-qualified mediator.

Name:

Document your 10 hours of observing a court-qualified mediator, include dates, case type and mediator name and contact information:

Document your 10 hours of conducting mediation sessions including dates and case type, if co-mediation include name of court qualified mediator and contact information.

AREAS OF EXPERTISE

NAME: _____
(please print)

NOTE: Please indicate in which of the following categories you have acquired expertise.

- | | |
|-------------------------------------------------------------------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Business | <input type="checkbox"/> Probate |
| <input type="checkbox"/> Civil Rights | <input type="checkbox"/> Property |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Community | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Trademark |
| <input type="checkbox"/> Contract | |
| <input type="checkbox"/> Domestic (must have 32 hours of formal domestic mediation training) | Second Languages Spoken: |
| <input type="checkbox"/> Education | |
| <input type="checkbox"/> Employment/Labor | |
| <input type="checkbox"/> Environmental | |
| <input type="checkbox"/> Insurance | |
| <input type="checkbox"/> Landlord/Tenant | |
| <input type="checkbox"/> Malpractice | |
| <input type="checkbox"/> Neighborhood | |
| <input type="checkbox"/> Personal Injury | |

Roster Information: Please list your contact information as you would like it to appear in the public court roster:

Name: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Please provide a biography that outlines your experience in mediation/arbitration.
This bio MUST be 100 words or less.

Maximum Fee per hour:

Judicial Districts served:

Fees for Travel:

UTAH STATE COURT MEDIATION PROGRAMS

VOLUNTEER MEDIATOR OPPORTUNITIES

RESTORATIVE DIALOGUE PROGRAM:

- Juvenile Court Program is available in areas throughout the state.
- Volunteer mediators provide mediation sessions between perpetrators of crime and their victims.
- The purpose of the program is to give victims of crime the opportunity to meet their offenders, express the impact the crime had on their life, and ask questions related to the crime. The program also provides victims of crime the opportunity to become more actively involved in the justice process, they become involved in determining restitution for the offenders and the community service the offender should complete to restore the community.
- **To become involved in this program contact Bart MacKay (435 986-5754) bartm@email.utcourts.gov at the Administrative Office of the Courts.**

LANDLORD-TENANT MEDIATION PROGRAM:

- This program is available in Third District (Salt Lake County).
- Provides mediation services to landlords and tenants involved in eviction proceedings on Monday, Wednesday and Friday at 1:30 p.m.
- This program is a collaboration between the Community Action Program and the Administrative Office of the Courts.
- **To become involved in this program contact Josie Turner at the Community Action Program (359-2444 ext. 225).**

LAW AND MOTION PROGRAM:

- Volunteers mediate landlord tenant and debt collection issues.
- Program located at the West Jordan Courthouse (8880 South Redwood Road) on Monday mornings, the Matheson Courthouse on Monday afternoons and Wednesday mornings in Layton.
- **To become involved in this program contact Kathy Elton (801-578-3982) kathye@email.utcourts.gov at the Administrative Office of the Courts.**

TRUANCY MEDIATION PROGRAM:

- Implemented in school districts across the state.
- The purpose of the program is to divert truancy cases from entering the juvenile court system.
- The program utilizes trained volunteer mediators from the community to complete the mediation sessions at the school.
- The program is a collaboration with the Juvenile Court and the participating school districts.
- **To become involved in this program contact Bart MacKay (435 986-5754) bartm@email.utcourts.gov or Sherri Hannon sherrih@email.utcourts.gov (801 578-3974) at the Administrative Office of the Courts.**

SMALL CLAIMS MEDIATION PROGRAM:

- This program is available in the First (Logan), Second (Bountiful), Third (Salt Lake County) and Fourth (Utah County) Judicial Districts.
- Disputants in small claims cases are given the opportunity to mediate the case prior to a court hearing.
- The program utilizes volunteer mediators who are available at the time of the court hearings.
This program is a collaboration between the Administrative Office and Utah Dispute Resolution (1st, 2nd and 3rd Districts) and The BYU Law School (4th District).
- **To become involved in this program contact:**
- **Russ Osguthorpe at Utah Dispute Resolution (801-532-4841) for Third District (Salt Lake County);**
- **Susan Bradshaw at BYU Law School (801-378-2159) for Fourth District.**